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8. Delegation.—The Central Government may, by notification in the Official Gazette, direct that any power exercisable by it under this Act shall, subject to such conditions, if any, as may be specified in the notification, be exercisable also by an officer specially empowered in this behalf by the Central Government.

9. Penalty.—Any person who contravenes any provision of this Act or of any rule or order made thereunder or obstructs the lawful exercise of any power conferred by or under this Act shall be punishable with fine which may extend to one thousand rupees.

10. Power to make rules.—(*1*) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

(*a*) the form of notice and the manner in which it may be served ;

(*b*) the procedure to be followed in taking possession of Government premises ;

(*c*) the manner in which damages for unauthorised occupation may be assessed ;

(*d*) the manner in which appeals may be preferred and the procedure to be followed in appeals ;

(*e*) any other matter which has to be, or may be, prescribed.

K. V. K. SUNDARAM, *Secy.*

No. L. D. 238—Legis. 2-50-5, dated Bangalore, the 18th April 1950.

Ordered that the accompanying Transfer of Prisoners Act, 1950 (XXIX of 1950) published in the *Gazette of India*, dated the 22nd April 1950, be republished in the *Mysore Gazette*, for general information.

By Order of His Highness the Maharaja,

B. S. PUTTASWAMY,

Legal Remembrancer and Secretary to Government, Law Department.

GOVERNMENT OF INDIA 36

MINISTRY OF LAW.

Received Assent on 12th April 1950.

Act No. XXIX of 1950.

THE TRANSFER OF PRISONERS ACT, 1950.

AN

ACT

to provide for the removal from one State to another of persons confined in a prison.

BE it enacted by Parliament as follows :—

1. *Short title and extent.*—(*1*) This Act may be called the Transfer of Prisoners Act, 1950.

(*2*) It extends to the whole of India except the State of Jammu and Kashmir.

2. *Definitions.*—In this Act,—

(*a*) "Court" includes any officer lawfully exercising civil, criminal or revenue jurisdiction;

(*b*) "Government" or "State Government", in relation to a Part C State, means the Chief Commissioner of that State ;

(*c*) "Prison" includes any place which has been declared by a State Government, by general or special order, to be a subsidiary jail.

3. *Removal of prisoners from one State to another.*—(*1*) Where any person is confined in a prison in a State,—

(*a*) under sentence of death, or

(*b*) under or in lieu of, a sentence of imprisonment or transportation, or

(*c*) in default of payment of a fine, or

(*d*) in default of giving security for keeping the peace or for maintaining good behaviour ;

the Government of that State may, with the consent of the Government of any other State, by order, provide for the removal of the prisoner from that prison to any prison in the other State.

(*2*) The officer in-charge of the prison to which any person is removed under sub-section (*1*) shall receive and detain him, so far as may be, according to the exigency of any writ, warrant or order of the court by which such person has been committed, or until such person is discharged or removed in due course of law.

4. *Amendment of section 29, Act, III of 1900.*—In sub-section (*1*) of section 29 of the Prisoners Act, 1900, the words "or, with the consent of the State Government concerned, to any prison in any other State" shall be omitted.

K. V. K. SUNDARAM, *Secy.*